



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Re-issue Application  
No.: 10/621,317

:

Group Art Unit: 1724

:

U.S. Patent No. 5,443,722

:

Examiner: Matthew O. SAVAGE

:

Issued: August 22, 1995

:

Entitled: DUPLEX STRAINER

DECLARATION AND POWER OF ATTORNEY  
BY THE ASSIGNEE UNDER 37 C.F.R. § 1.175

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Dear Sir/Madam:

As Assignee of record of the entire interest of the above-identified patent, I hereby  
declare that:

The residence, mailing address and citizenship of the inventors are stated below.

Ashvin D. Desai  
Citizenship: United States of America  
7 Trinity Drive  
Lumberton, North Carolina, 28358

Robert Whritenour  
Citizenship: United States of America  
4211 Aldwyche Drive  
Lumberton, North Carolina 28358

I aver that as President of Mueller Steam Specialty having an address of 1491-A NC  
Highway 20 West, St. Pauls NC 28384 (hereinafter "Assignee"), am empowered to sign this  
statement of behalf of the Assignee. The entire title of the patent identified above is vested in  
said Assignee.

I believe said inventors to be the original and first inventors of the subject matter which is  
described and claimed in said patent, for which a reissue patent is sought on the invention  
entitled *DUPLEX STRAINER*, the specification of which is attached hereto.

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by Preliminary Amendment dated July 17, 2003. I believe the named inventor or inventors to be the original and the first inventor or inventors of the subject matter which is claimed and for which a patent is sought. I acknowledge the duty to disclose to the Office all information known to me which is material to patentability as defined in 37 C.F.R. § 1.56.

I verily believe that the original U.S. Patent No. 5,443,722 is partly inoperative or invalid by reason of defective specification through error. The errors include, for example, claim 1 of the original U.S. Patent No. 5,433,722, attached hereto, which recites "a first three-way ball valve for controlling the flow of fluid between said housing, first port, and second port." The recitation of the "second port" is incorrect and should recite "third port."

All errors which are being corrected in the present reissue application up to the time of filing this declaration arose without any deceptive intention of the part of the Applicant.

The undersigned hereby grant(s) the firm of BAKER & HOSTETLER LLP the power to insert on this Declaration any further identification, including the application number and filing date, which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document

| <u>Attorney</u>     | <u>Reg. No.</u> | <u>Attorney</u>     | <u>Reg. No.</u> |
|---------------------|-----------------|---------------------|-----------------|
| Leo J. Jennings     | Reg. No. 32,902 | Marc W. Butler      | Reg. No. 50,219 |
| William C. Bergmann | Reg. No. 34,294 | Jason Brady         | Reg. No. 51,493 |
| Kenneth J. Sheehan  | Reg. No. 36,270 | Stephen S. Fabry    | Reg. No. 51,661 |
| Phong Duy Nguyen    | Reg. No. 43,833 | Michael D. Graham   | Reg. No. 51,750 |
| Dennis P. Cawley    | Reg. No. 44,598 | P. Alan Larson      | Reg. No. 53,184 |
| Burman Y. Mathis    | Reg. No. 44,907 | Dana L. Christensen | Reg. No. 54,035 |
| Jonathan Kidney     | Reg. No. 46,195 | David C. Annis      | Reg. No. 54,963 |
| Sean A. Pryor       | Reg. No. 48,103 | Winston Chu         | Reg. No. 55,071 |
| Rabiya S. Kader     | Reg. No. 48,160 | Ari S. Indik        | Reg. No. 55,293 |

I hereby appoint the following attorney(s) and/or agent(s):  
with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and all future correspondence should be addressed to the address at the aforementioned customer number. with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and all future correspondence should be addressed to:

**BAKER & HOSTETLER LLP**  
**Washington Square, Suite 1100**  
**1050 Connecticut Avenue, N.W.**  
**Washington, D.C. 20036**  
**Tel. 202 861 1500**  
**Fax 202 861 1783**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

MUELLER STEAM SPECIALTY  
Assignee of Entire Interest

By:  \_\_\_\_\_

Name: David Smith

Title: General Manager

Date: 12/7/04

1491-A NC Highway 20 West  
St. Pauls, NC 28384